



CITY APPOINTEES  
MARY SHARP, VICE CHAIR  
SCOTT FLEMING  
MARGARET PRITCHARD  
JAMES TOLES  
ALFRED WASHINGTON

# MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION - REORGANIZED IN 1976

JOSH WHITEHEAD, AICP, SECRETARY

CITY HALL - 125 N. MAIN ST., STE. 468 - MEMPHIS, TENNESSEE 38103 - (901) 576-6601



COUNTY APPOINTEES  
JON MCCREERY, CHAIR  
ROBERT NORCROSS  
EMILY TRENHOLM  
DESIREE LYLES WALLACE  
LISA WILBANKS

## MINUTES July 9, 2015

### Meeting Attendance

#### LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Scott Fleming	X	
Member	Margaret Pritchard	X	
Member	Robert Norcross	X	
Member	James Toles	X	
Member	Emily Trenholm	X	
Member	Desiree Lyles Wallace	X	
Member	Alfred Washington	X	
Member	Lisa Wilbanks	X	

### Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Josh Whitehead called the roll. There was a quorum.

**LUCB Staff:** Calvin Abram, Brian Bacchus, Don Jones, Marion Jones, Troy Fraiser, and Norman Saliba.

**Others Present:** Andy Kitsinger, Cindy Reaves, Brenda Solomito-Basar, David Wade, Rickey E. Wilkins and John R. Wills, Jr.

### Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

### Secretary's Report

Josh Whitehead noted that the June LUCB meeting minutes would be included on next month's agenda for a vote of approval.

### Approval of Minutes: June 11, 2015

There were none.

### General Order of Public Hearing

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. Chairman McCreery also explained the procedure for hearing

the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items. The Consent Agenda Items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 was read.

**Consent Agenda (Items 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14)**

- |                          |   |
|--------------------------|---|
| <b>2. CASE NUMBER:</b>   | <b>S 15-11</b>  |
| <b>PROJECT NAME:</b>     | <b>The Power Center Subdivision</b>   |
| Request:                 | 12 lot subdivision for institutional & residential uses.                                  |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>3. CASE NUMBER:</b>   | <b>S.A.C. 15-607</b>  |
| <b>PROJECT LOCATION:</b> | <b>Beginning at Cleveland Street and extending to the west a distance of 243.47'</b>      |
| Request:                 | Close & Vacate Alley Right-Of-Way.  |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>4. CASE NUMBER:</b>   | <b>S.A.C. 15-608</b>  |
| <b>PROJECT LOCATION:</b> | <b>At the intersection of Franklin and Faxon extending north 607 feet</b>                 |
| Request:                 | To vacate 670' of an unimproved right-of-way (paper st.) In the RU-1 district.            |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>5. CASE NUMBER:</b>   | <b>S.A.C. 15-609</b>  |
| <b>PROJECT LOCATION:</b> | <b>Begins at the intersection with Franklin Street and extends 111.5 feet to the east</b> |
| Request:                 | To vacate 111.5' of an unimproved right-of-way (paper street) in the RU-1 District.       |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>6. CASE NUMBER:</b>   | <b>S.A.C. 15-610</b>  |
| <b>PROJECT LOCATION:</b> | <b>271 feet of Tutwiler between Tillman Street and Gracewood Street</b>                   |
| Request:                 | To vacate 271' of an unimproved right-of-way (paper street) in the RU-1) District.        |
| Staff's Recommendation:  | Approval with conditions  |
| <br>                     |   |
| <b>7. CASE NUMBER:</b>   | <b>P.D. 95-362</b>  |
| <b>PROJECT NAME:</b>     | <b>Mallory Desoto Planned Development</b>   |
| Request:                 | Major modification to allow changes to the approved landscaping.                          |
| Staff's Recommendation:  | HOLD  |
| <br>                     |   |
| <b>8. CASE NUMBER:</b>   | <b>P.D. 00-352 CC</b>   |
| <b>PROJECT NAME:</b>     | <b>Barry Farms Planned Development</b>  |
| Request:                 | Site Plan Review for a 3-story, 60 Room Hotel (Magnolia Inn and Suites).                  |
| Staff's Recommendation:  | Approval with conditions  |

9. **CASE NUMBER:** P.D. 05-333 CC  
**PROJECT NAME:** Gray's Creek Crossing Planned Development  
Request: Time extension for a planned development allowing limited Commercial Mixed Use (CMU-2) District land uses within the Outline Plan  
Staff's Recommendation: Approval with (1) condition
10. **CASE NUMBER:** P.D. 12-305 CC  
**PROJECT NAME:** Berryhill P.D. Phase 15 Part of Parcel "A"  
Request: Site plan approval.  
Staff's Recommendation: Approval with conditions
11. **CASE NUMBER:** S.U.P. 15-212  
**PROJECT LOCATION:** 184 A.W. Willis Avenue  
Request: Special Use Permit to establish a convenience store with gasoline sales.  
Staff's Recommendation: HOLD
12. **CASE NUMBER:** S.U.P. 15-213  
**PROJECT LOCATION:** Northeast corner of Jackson Avenue and North Front Street  
Request: To allow an extended stay hotel within the MU zoning district.  
Staff's Recommendation: HOLD

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Items 3 and 8 were pulled. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 2, 4, 5, 6, 7, 9, 10, 11, 12, 13 and 14. Board Member Wilbanks made a motion to approve Consent Agenda Items 2, 4, 5, 6, 7, 9, 10, 11, 12, 13 and 14 in agreement with staff's recommendations. The motion was seconded by Board Member Toles. The motion passed unanimously.

#### **REGULAR AGENDA ITEMS:**

Chairman McCreery introduced Board Member Pritchard who would serve as Zoning Chair and she then called the first case.

**Item 1: CASE #: S 15-09** **CLARK AND FAY'S BELLE MEADE SUBDIVISION**  
Request: Two lots for single-family dwellings.  
Location: Northwest corner of Poplar Avenue and Belle Meade Lane  
Applicant: John R. Wills, Jr.  
Applicant Representative: Rickey E. Wilkins, Rickey E. Wilkins Law Office  
66 Monroe Ave. #103, Memphis, TN 38103

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

David Wade, Martin Tate Morrow & Marston, P.C., 6410 Poplar Ave, Suite 1000, Memphis, TN 38119.

MOTION: Approval w/Conditions  
MADE BY: Pritchard

SECOND: Wilbanks  
AYES: Toles, Trenholm and Wilbanks  
NAYS: Fleming, McCreery, Norcross, Pritchard, Sharp, Wallace and Washington

**Item 1 – ITEM DENIED**

**Item 3: CASE #: S.A.C. 04-619**

Request: Extend the street and alley closure time period to record quit deeds.  
Location: Michigan Street & Georgia Avenue Alley Closure  
Applicant: Citymark Construction & Development, LLC  
Applicant Representative: Cindy Reaves, SR Consulting LLC  
5909 Shelby Oaks Drive, Suite 200, Memphis, TN 38134

MOTION: Approval of a Friendly Amendment of Condition #2.  
MADE BY: Pritchard  
SECOND: Wilbanks  
AYES: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wallace, Washington and Wilbanks

**Item 3 – APPROVED AS AMENDED**

**Item 8: CASE #: P.D. 86-345**

**FRENCH QUARTER INN PLANNED DEVELOPMENT**

Request: Major Modification to allow a Performing arts Center.  
Location: 2144 Madison Avenue  
Applicant: NCE Realty & Capital Group, LLC  
Applicant Representative: Brenda Solomito-Basar  
5909 Shelby Oaks Drive, Suite 200, Memphis, TN 38134

MOTION: Approval w/Conditions and (3) three Friendly Amendments  
MADE BY: Pritchard  
SECOND: Toles  
AYES: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm, Wallace, Washington and Wilbanks

**Item 8 – APPROVED AS AMENDED**

**Item 15: CASE #: Z 15-101**

Request: To designate Cleveland and Watkins from Larkin to North Parkway as Urban and Transitional Frontages.  
Location: Cleveland and Watkins Streets, from Larkin Ave. on the south to North Parkway on the north  
Applicant: Office of Planning and Development at the request of the Memphis City Council  
Applicant Representative: Josh Whitehead

Chairman McCreery recognized the following persons who spoke from the audience in support of the case.

Andy Kitsinger, 1665 Overton Park, Memphis, TN 38112.

MOTION: Approval w/Conditions and an added Friendly Amendment  
MADE BY: Pritchard  
SECOND: Sharp  
AYES: Fleming, McCreery, Norcross, Pritchard, Sharp, Toles, Trenholm,  
Wallace, Washington and Wilbanks

Item 15 – **APPROVED**

**ADJOURNMENT:**

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED: 8-13-15

[Signature]  
CHAIRMAN

[Signature]  
SECRETARY

